

REMARKS/ARGUMENT

Claims 1-42 and 61-63 are pending in the above-referenced application. Claims 43-60 were withdrawn without prejudice in a previous amendment responding to a restriction requirement and are presently cancelled without prejudice for pursuit in applications continuing from the present application. Claims 1-4, 6, 9, 12, 13, 14, 23, 26-28, 31, 32, 36, 37 and 39-41 are currently amended. Claims 61-63 are new. No new matter has been added.

Claims 1, 6, 9, 12 are amended to recite a method of or a system for accepting deposits of currency bills into a document processing device for crediting to a specified account that includes, *inter alia*, receiving a plurality of documents associated with a deposit or deposit transaction being made at a financial institution into an input receptacle of a document processing device.

Claims 1-4, 12-14, 23, 26-28, 31, 32, 35-37 and 39-41 are amended to recite a method, a system, or a document processor that includes, *inter alia*, generating or a generated government-required report.

Claim 23 is further amended to recite a document processor that includes, *inter alia*, an input receptacle adapted to receive documents associated with a deposit transaction being made at a financial institution.

Claim 32 is further amended to recite a method for processing a deposit of currency bills into a specified account at a financial institution that includes, *inter alia*, (i) receiving documents associated with a deposit transaction being made at the financial institution and (ii) scanning an image on at least a portion of each bill to produce electronic data representing at least a partial video image of each currency bill.

New claims 61-63 recited, *inter alia*, a method, system, or processor wherein electronic data represents at least a partial video image of each currency bill.

Support for the claim amendments and new claims can be found, for example, in FIGS. 13-14 and ¶¶ [0077], [0083], [0111], [0119] and [0125] of the specification filed for the present application as published in Jones US 2004/0153408.

Anticipation Rejection Based on Brown

In the October 24, 2007 non-final Office action, claims 1-3, 6, 9, 12-14, 23, 26, 27, 32, 36 and 37 were rejected under 35 U.S.C. § 102(e) as being unpatentable over Brown et al. U.S. Patent No. 6,550,671 ("Brown"). These rejections are respectfully traversed.

Brown describes a cash register and a method of obtaining, recording and using the denomination and the serial number of bills received into cash registers from purchasers. See, e.g., Abstract; column 5, lines 7-21. For example, Brown states that its invention provides an improved cash register and method of operating a cash register that accounts for both cash received into and dispensed from a cash register. Column 1, lines 7-10. Brown also discloses a transaction database for recording transactions (column 5, line 35) and a transaction report that may be communicated to a customer's PC (column 7, lines 18-22). Brown further discloses a structure of a database for continually updating a cash inventory record maintained in the database that includes tracking the denomination and serial number of each bill tendered by the purchaser. See FIG. 4; column 9, lines 23-45.

It is noteworthy that the citations to Brown do not recite a system, processor or method for receiving a documents associated with a deposit or deposit transaction being made at a financial institution, as generally recited in each of amended independent claims 1, 12, 23 and 32. That is, the claims of the present application recite receiving documents associated with a deposit at a financial institution. In contrast, Brown's disclosure is limited to cash registers and point-of-sale of transactions by purchasers.

In further contrast to the claimed invention, Brown lacks disclosure of generating a government-required report whenever the accumulated total value of a deposit exceeds a prescribed value. For example, Brown's disclosure appears limited to a database that maintains net cash in the register, or a transaction report that assist a purchaser or a business operating the cash register. See FIG. 4; column 7, lines 18-22; column 9, lines 42-45.

Brown also lacks disclosure of scanning an image on at least a portion of each bill to produce electronic data representing at least a partial video image of each currency bill or storing the electronic data from the image scanner so that the scanned video images may be retrieved and displayed for review after completion of the deposit, as recited, for example, in claim 32. The Office Action refers to FIG. 4 of Brown in support of a storing disclosure, however, neither FIG. 4 nor its discussion refer to producing electronic data representing at least a partial video image of each currency bill. See Office Action, p. 7-8.

For at least the reasons cited herein, amended independent claims 1, 12, 23 and 32 are not anticipated by Brown, and thus, should be in a condition for allowance. Furthermore, claim 2, 3, 6, 9, 13, 14, 26, 27, 36 and 37 depend either directly or indirectly from amended claims 1, 12, 23 and 32. For at least the reasons cited for their respective independent claims, claims 2, 3, 6, 9, 13, 14, 26, 27, 36 and 37 are not and cannot be anticipated by Brown. Accordingly, claims 2, 3, 6, 9, 13, 14, 26, 27, 36 and 37 are in a condition for allowance, as well.

Obviousness Rejection Based on Brown and/or Cahill

In the October 24, 2007 non-final Office action, claims 7, 10 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Brown in view of Official Notice. Claims 4, 8, 15, 28, 38 and 39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Brown in view of Cahill et al. U.S. Patent No. 5,940,844 ("Cahill"). Claims 5, 16-22, 24, 25, 29, 30, 31, 33, 34, 35 and 40-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Brown in view of Cahill in further view of Official Notice. These rejections are respectfully traversed.

Claims 4, 5, 7, 8, 10, 11, 15-22, 24, 25, 28, 29, 30, 31, 33-35, 38, 39 and 40-42 depend either directly or indirectly from amended claims 1, 12, 23 or 32 and are not rendered obvious by Brown and/or Cahill for at least the reasons discussed above in connection with claims 1, 12, 23 and 32. Accordingly, claims 4, 5, 7, 8, 10, 11, 15-22, 24, 25, 28, 29, 30, 31, 33-35, 38, 39 and 40-42 are in a condition for allowance.

In addition, Official notice "unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the

art are capable of instant and unquestionable demonstration as being well-known. MPEP § 2144.03, p. 2100-145 (8th Ed., Rev. 6, Sept. 2007). The “applicant should be presented with the explicit basis on which the examiner regards the matter as subject to official notice so as to adequately traverse the rejection in the next reply after the Official action in which the common knowledge statement is made.” MPEP § 2144.03, p. 2100-146. However, the Office action improperly provides only general assertions that certain dependent claims are obvious because it would be obvious to one skilled in the art to set a limit, process documents as fast as possible, or that scanning a deposit slip is no different than scanning a check or US currency. For example, the examiner does not provide any support for transporting and denominating a plurality of documents at a rate in excess of 800 or 1,000 documents per minute, other than to state one would be motivated to speed up document processing. But, such a motivation or desire for faster processing speed does not provide that such document processing rates have been achieved or are known, as claimed in the present application. Rather, the Office action is improperly asserting since someone would wish to achieve the claimed document processing rates, it must already be achieved or known. In fact, contrary to the assertion of Official Notice, Brown suggests much slower processing rates since Brown’s system is used with a cash register. For at least these reasons, the Office Action’s reliance on Official Notice is improper and rejections based on such assertion should be withdrawn or properly supported.

Furthermore, as described above, Brown describes a cash register and a method of obtaining, recording and using the denomination and the serial number of bills received into cash registers from purchasers. See, e.g., Abstract; column 5, lines 7-21. Cahill does not overcome the deficiencies of Brown. For example, Cahill describes a method and apparatus for displaying an electronic image of a check. See Title; Abstract; column 12, lines 39-41. In fact, Cahill states that its invention is particularly adapted to the storage and retrieval of check images and the images of other commercial paper instruments. Column 1, lines 14-18. While Cahill does state that it can be used to store and retrieve images of other documents, there is no reference to currency or currency bills. In fact, the references that are cited from Cahill all appear to be limited to check imaging rather than an image of a currency bill, and thus, Cahill does not and cannot overcome the deficiencies of Brown.

For at least these reasons, neither of Brown and Cahill, either alone or in combination, discloses or suggests claims 4, 5, 7, 10-11, 15-17, 19-22, 24, 25, 28, 29, 30, 31, 33, 34, 35 and 38-42. Accordingly, these claims are in a condition for allowance and withdrawal of the rejection is respectfully requested.

CONCLUSION

The Applicant submits that claims 1-42 and 61-63 are in condition for allowance and action toward that is respectfully requested. If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (312) 425-8552.

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It is believed that no additional fees are due other than the fee for the two-month extension of time; however, should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from the Nixon Peabody Deposit Account No. 50-4181, Order No. 247171-000381USPT.

Respectfully submitted,

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